

~~This has been Amended~~

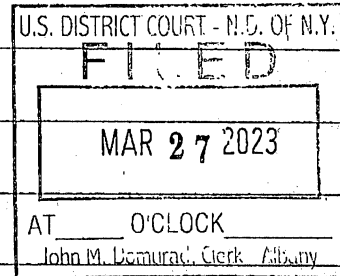
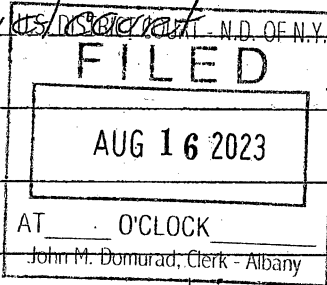
~~Benjamin Horton~~

July 10 2022

08/11/23

Amended March 2 2023

United States District Court



Benjamin Horton

V

New York Department of Corrections

MARK Secore

Officer John Doe

RE 922 CV 00906 BKS CFH

I am filing this lawsuit for Neglect, Negligence
Denying medical treatment, Pain and Suffering, Cruel
Punishment

On April 19-20th 2022 Approx 11:52pm - 12:01am in Block
upper H-7-21 at Clinton Correctional Facility

I Benjamin Horton was having very Bad chest pains.
So I stopped corrections officer ^{MARK Secore} ~~John Doe~~ on his Rounds
who was not wearing his name tag and his shirt was half
unbuttoned, he was a younger officer tall with a Goatee.

I told this officer ^{MARK Secore} ~~John Doe~~ I was having very bad
Chest pains and I need to go to the Clinic.

At this time the officer ^{MARK Secore} ~~John Doe~~ told me, "we don't have enough staff to bring you up to clinic" and told me to wait.

I said but I am having major chest pains. That won't stop and have gotten worst.

officer ^{MARK Secore} ~~John Doe~~ said there's nothing I can do.

So at this time officer ^{MARK Secore} ~~John Doe~~ denied me medical treatment and was negligence. So I asked the officer ^{MARK Secore} John Doe what time it was he looked at his watch and said midnight and walked away.

For the Record the nearest camera to my cell and mic is C0330405

I had to sit in my cell without medical treatment for over seven hours having a heart attack.

This is till the medical medication nurse, Cathleen Resesser came with my morning medications.

The officer ^{MARK Secore} ~~John Doe~~ never even put in the Book of his Rounds,

The nurse Cathleen Resesser said you don't look good. I told Cathleen Resesser what happened and that I was still having major chest pains.

The nurse Cathleen Resesser told me I should have been brought up to the clinic when I reported it, I should

not have been denied medical treatment, I told her that officer ^{MARK Secore} ~~John Doe~~ told me they didn't have enough staff. Chest pains are an emergency and should not be denied medical treatment at anytime night or day.)

The nurse Cathleen Resesser said it was an emergency and officer ^{MARK Secore} ~~John Doe~~ should not deny anyone medical or medical attention, and this ^{MARK Secore} ~~John Doe~~ in Clinton Correctional Facility, in upper H Block Cell 7-21, Appox 11:57 pm - 12:01 am on his Rounds should not have neglected, shown not shown and being negligent, and deny medical treatment when a inmate is in need of it chest pains being the top ones,

I was sitting in my cell from appox 11:30 pm - appox 7:30 in and having a major heart attack with major pain and suffing. I never sought that much pain in my life.

Back to nurse Cathleen Resesser stopped her medical rounds and ran up to front the officers desk and told them to bring me to the clinic now.

Then a officer John Doe 2 came Right away
and Brought me up to the clinic. Now is after 7 am
a new Shift

When I got there the E.R. nurses a Clinton correctional
Facility.

Put me on EKG's and found that my heart Beats or
whatever it was very Bad.

Then one of the nurses went out of Room and got
S Deklin - Varin nurse practitioner and showed he
my EKG's S Deklin - Varin came Right into the Room
and said MR Horton it looks like you had a heart attack

I am Rushing you out to plattsburg Hospital

So when this officer ^{mark Secore} ~~John Doe~~ Denied I medical
treatment and Didn't get me to the clinic, I was
having a heart attack for over Seven hours of
Pain my major Chest Pains, having a heart attack
and Plattsburg Hospital I was so close to Dying
and I lucky I got help then.

So I was on my way to Plattsburg Hospital and on my EKG's they put on in medical van got so bad that they had to give me Nitro pills to different times and almost the paddles they said if I get worst

when I got at Plattsburg Hospital they also put me on their EKG's machines and Read them and found I was in bad shape and within 20 minutes they Rushed me into emergency Surgery.

I have three of my Artery were Blocked one was 100% Blocked, another was 80% Blocked and one 50% Blocked and had to have major Surgery and three Stents Put in my Heart,

and ever since then I have and Deal with muscle pains in legs left arm I cant lift anything heavy I have hard time Standing long, walking and taking showers ^{standing} there force me to Climb to Bathroom where they know there is no handles or wall to lean against to get clean so I have to try to clean myself in a two Gallon Bucket and getting Rashes. I am still Being Refused medical treatment here They correctionr has been Refusing my medical

Showers and Diet with more fruits and veggies
I ~~get~~ also have major back pains and injury from
workmans comp case, and Sharp Pains shoot down
my Right leg. So medical Shower are called for

All of this could have been less painful or
stressful and if the inmates like me got
Proper Sub exams or work up the Dr R. Damico
here at this Facility would have found these
issues way Before and could have been prevented

I went to Physical Therapy and then corrections
or Albany stopped them even though I still
have these issues.

I Still am seeing a cardiologist from Albany
medical center, at coxsackie correctional Facility
still to date, last was Feb 10 2023. So the issues
are still here and I am forced to deal with pain
and leg, Back Pain, Standing long times, walking and
Stairs and no stretch in left arm.

MARK Secore
So the corrections and officer ~~detention~~ made

Inmate Benjamin Horton suffer with major chest Pains, having a Heart attack for over 28 seven Hour with no medical Attention, Denying Proper medical treatment and making inmate suffer in Pain, Neglect, and negligence, Improper Healthcare

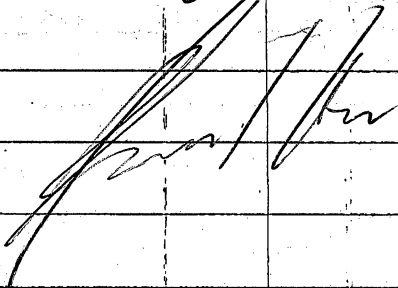
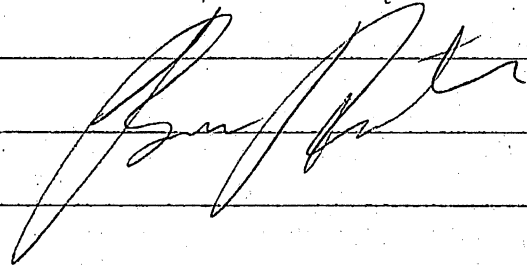
So this lawsuit is for all of the above and

Pain & Suffering, being Denied medical treatment, neglect, and negligence All Above

Sum and Asking for is \$150,000. Also medical showers til I leave corrections and proper Health care. with any of my needs, exams, test etc and a Stay Judgment

Benjamin Horton
Iuly Swear had made
these Amendments of
The officer to mark secure

Respectfully Submitted



Case 9:22-cv-00906-BKS-CFH Document 16 Filed 03/27/23 Page 8 of 8
DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

CLINTON CORRECTIONAL FACILITY

P.O. BOX 2807
DANNEMORA, NEW YORK 12929

NAME: Benjamin Horton DIN: UGA3539

ALBANY NY 120
23 MAR 2023 PM 2 L

Correctional Facility

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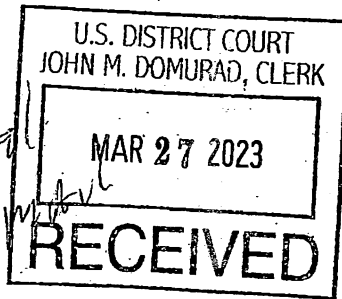
FIRST-CLASS MAIL

03/23/2023

US POSTAGE \$000.60



ZIP 12929
041M11272305



US District Court
James T Foley US courthouse
445 Broadway Room 500
Albany NY 12202-2836

12207-292534



Other Orders9:22-cv-00906-BKS-CFH Hortonv. Doe

CASE-LIST,PRO SE

U.S. District Court**Northern District of New York - Main Office (Syracuse) [NextGen CM/ECF Release 1.7 (Revision 1.7.1.2)]****Notice of Electronic Filing**

The following transaction was entered on 7/27/2023 at 3:33 PM EDT and filed on 7/27/2023

Case Name: Horton v. Doe**Case Number:** 9:22-cv-00906-BKS-CFH**Filer:****Document Number:** 24(No document attached)**Docket Text:**

TEXT ORDER: By Order of Magistrate Judge Christian F. Hummel filed May 11, 2023 ("May Order"), plaintiff was directed to file an amended complaint that correctly identifies Officer John Doe, in his complaint. See Dkt. No. 22. On June 5, 2023, plaintiff filed a letter with the Court related to his filing fee. Dkt. No. 23. In the letter, plaintiff included a caption and identified defendant as "John Doe (Mark Secore)". Id. However, to date, plaintiff has not provided an amended complaint as directed in the May Order. This Court's Local Rule 15.1 states that a "party shall not incorporate any portion of its prior pleading into the proposed amended pleading by reference." N.D.N.Y.L.R. 15.1. Rather, amended pleadings must be complete pleadings which will supersede the original pleading in all respects. Id. Plaintiff's letter is not in compliance with N.D.N.Y. Local Rule 15.1 and therefore, the Court will not accept the letter as the amended complaint or operative pleading. In light of plaintiff's pro se status, the Court sua sponte grants plaintiff an extension of time to comply with the May Order. Plaintiff must comply with the May Order on or before August 28, 2023 or this action will be dismissed without prejudice without further order of this Court. The Clerk is directed to send plaintiff a copy of the May Order and a copy of his amended complaint for his use in complying with this Order. Authorized by Chief Judge Brenda K. Sannes on July 27, 2023. {text order and referenced documents served via regular mail on plaintiff}(nas)

9:22-cv-00906-BKS-CFH Notice has been electronically mailed to:**9:22-cv-00906-BKS-CFH Notice has been delivered by other means to:**

Benjamin Horton
16-A-3539
Clinton Correctional Facility
P.O. Box 2000
Dannemora, NY 12929

DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

CLINTON CORRECTIONAL FACILITY

P.O. BOX 2001

DANNEMORA, NEW YORK 12929

NAME:

Benjamin Horton

DIN:

16A3539

Clinton



Correctional Facility

NEOPOST

FIRST-CLASS MAIL

08/14/2023

US POSTAGE

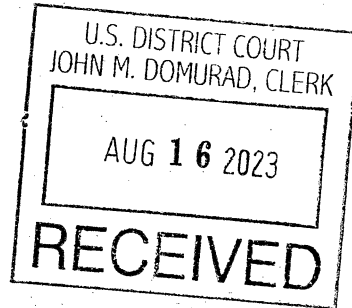
\$000.87⁰



ZIP 12929

041M11272305

Legal mail



US District court
James &oley vs courthouse
445 Broadway # 500
Albany, NY 12207-2836

922 ~~00906~~

1220712925 C012



NEW YORK STATE

DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION
INCARCERATED INDIVIDUAL CORRESPONDENCE PROGRAM

NAME: _____ DIN: _____